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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/997,622	12/23/1997	WILLIAM E. SALZER	SC10321C	1557

7590

07/30/2002

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INTELLECTUAL PROPERTY DEPARTMENT  
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EXAMINER

SRIVASTAVA, VIVEK

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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DATE MAILED:

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 5/22/00 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.             | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____   |

**Part II SUMMARY OF ACTION**

1. ☒ Claims 1, 3-8, 12, 13 and 15-17 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2. ☐ Claims \_\_\_\_\_ have been cancelled.
3. ☒ Claims 1, 3-8 and 15-17 are allowed.
4. ☒ Claims 12, 13 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

**Best Available Copy**

EXAMINER'S ACTION

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## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claims 12 and 13 is withdrawn in view of the newly discovered reference(s) to Kondo (6,157,625) - previously cited. Rejections based on the newly cited reference(s) follow.
2. Claims 1, 3-8 and 15-17 are allowed.

### ***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo (6,157,625).

Regarding claim 12, Kondo discloses a HDD 12 for storing data of a first section of a data stream and a second section of a data stream (see fig 6). Further, Kondo discloses two memories 15V and 15A (fig 6) for copying the first section of the data stream and a second section of the data stream and a MUX (fig 6 item 16) for selecting between the first and second memory locations to produce an interleaved output signal and selecting between the data stored in the first

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memory location and data stored in the second memory location (see fig 6). Kondo fails to disclose wherein the step of selecting further includes the step of selecting first data from the first memory location while transferring second data from the third memory location to the first memory location. The Examiner Takes Official Notice a dual port memory has concurrent reading out data and writing in data capability. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kondo to include a dual port memory to provide selecting first data from the first memory location while transferring second data from the third memory location to the first memory location.

Considering claim 13, Kondo fails to disclose the claimed step of selecting third data from the second memory location while transferring fourth data from the third memory location to the second memory location. The Examiner Takes Official Notice a dual port memory has concurrent reading out data and writing in data capability. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kondo to include a dual port memory to provide selecting third data from the second memory location while transferring fourth data from the third memory location to the second memory location to provide concurrent memory operations.

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***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Citta et al (5,461,619) - system for multiplexed transmission of data

Delpuch et al (5,448,568) - system of transmitting an interactive tv signal

Kondo (6,157,625) - Audio - video signal transmission apparatus

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

**Or:**

(703) 308- 5399 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (703) 305 - 4038. The

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examiner can normally be reached on Monday - Thursday from 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andy Faile, can be reached at (703) 305 - 4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305 - 3900.

7/27/02

VS

A handwritten signature in black ink, appearing to read 'Bhavesh Mehta', with a stylized, cursive script.

Bhavesh Mehta  
Primary Examiner